



Planning & Code Enforcement

2 York Street
Westbrook, Maine 04092
Phone: 207-854-0638
Fax: 866-559-0642

PLANNING & CODE ENFORCEMENT

**WESTBROOK PLANNING BOARD
TUESDAY, OCTOBER 6, 2020, 7:00 P.M.
Performing Arts Center
Westbrook Middle School
471 Stroudwater Street, Westbrook**

**Enter Building from Street side (Performing Art Center Entrance)
Masks are required to enter building as well as proper physical distancing
Per the CDC guidelines, meeting attendance is capped at 50 attendees**

AGENDA

1. **Call to Order**
2. **Approval of Minutes**

NEW BUSINESS

3. **2018.35 – Site Plan Amendment – Extension Request - 65 Bradley – Alderbrook, LLC:** The applicant is requesting an additional one-year extension on the approval for a 10,580 square foot expansion to an existing structure and associated site improvements to a previously approved site plan. A previous one-year extension on the September 4, 2018 approval was granted by the Planning Board on October 1, 2019. Tax Map: 005B Lot: 028 Zone Manufacturing District
4. **2020.07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC – Public Hearing:** The applicant is proposing a 15-unit subdivision comprising of an existing single-family home and 7-duplexes along a private driveway, Fawn Woods Way, located at 527 Bridge Street. Tax Map: 048 Lot: 045 Zone: Residential Growth Area 2
5. **2020.24 – Subdivision, Site Plan - Brook Street Apartments – 171 Brook St - The Lefevres, LLC – Public Hearing:** The applicant is proposing a lot split and 9-duplexes, totaling 18-units, on an existing vacant lot. Tax Map: 019 Lot: 029 Zone: Residential Growth Area 2

WORKSHOP

6. **2020.34 – Site Plan – 619 Bridgton Road – Audet Enterprises:** The applicant is proposing 4,224 sf building for an office/landscaping maintenance facility with an expanded parking and storage area. Tax Map 018 Lot 029B Zone: Prides Corner Smart Growth Area

Deliberation of agenda items, including workshops, that have not been commenced by the Planning Board as of 10:00p.m. may be rescheduled to the next regularly scheduled meeting.



Planning & Code Enforcement

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PLANNING & CODE ENFORCEMENT

DATE: October 2, 2020

TO: Planning Board

FROM: Jennie P. Franceschi, City Planner & Rebecca Spitella, Asst. City Planner

Cc: Plan Review Team

RE: October 6, 2020 Planning Board Meeting

-
1. **2018.35 – Site Plan Amendment – Extension Request - 65 Bradley – Alderbrook, LLC**
 2. **2020.07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC**
 3. **2020.24 – Subdivision, Site Plan - Brook Street Apartments – 171 Brook St - The Lefevres, LLC**
 4. **2020.34 – Site Plan – 619 Bridgton Road – Audet Enterprises**

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1. **2018.35 – Site Plan Amendment – Extension Request - 65 Bradley – Alderbrook, LLC**

REGULAR BUSINESS

Tax Map 005B Lots 028
Zone: Manufacturing District

Project Description

The applicant is requesting a one-year extension for an approval for a 10,580 square foot expansion to an existing structure and associated site improvements to a previously approved site plan that was originally approved of on September 4, 2018. The Board previously approved an extension to the approval on October 1, 2019. The extension is due to organizational priorities delaying the start, but the applicant feels the expansion will be started within the year.

Project History:

August 22, 2018: Neighborhood Meeting
September 4, 2018: Public Hearing
October 1, 2019: Extension Request
October 6, 2020: Extension Request

Staff Comments:

Staff takes no issue with the request. This extension does not alter or change any of the previously approved conditions of approval nor have any ordinance changes occurred which would have altered this approval.

Motion:

Motion to grant an extension of one-year for Alderbrook, LLC to construct a 10,580 square foot expansion to an existing warehouse located at 65 Bradley Street, Tax Map: 005B Lot: 028 Zone: Manufacturing District is **(approved with conditions/ denied)**. All previously approved findings of fact and conclusions and conditions are still applicable.

2. 2020. 07 – Subdivision/Site Plan – 527 Bridge Street – 1025 Ocean Ave, LLC

PUBLIC HEARING

Tax Map: 048 Lot: 045
Zone: Residential Growth Area 2

Project Description:

The applicant is proposing a 15-unit condominium subdivision comprising of an existing single-family home and 7-duplexes along a new private driveway, Fawn Woods Way, located at 527 Bridge Street along with a trail system and open space area for the owners.

Project History

- May 12, 2020 – Neighborhood Meeting
- May 19, 2020 – Planning Board Workshop
- June 20, 2020 – Site Walk (Virtual)
- September 28, 2020 - DEP Stormwater Review
- October 6, 2020 – Public Hearing

Staff Comments:

1. Snow Maintenance Plan prior to first CO, including commitment to plow reinforced turf area for emergency vehicle turnaround.
2. Testing of hydrant will be required prior to any wood construction on the site.
3. Full sidewalk plan engineered required prior to site disturbance/building permit.
4. Slip form concrete curbing required in Bridge Street. Provide detail (not bituminous) - Paving curbline/shoulder required per detail on C-502 – plan view needs to show curbline paving.
5. ATS sewer
6. Updated cost estimate

Sewer

1. MH in public row to meet City Standards, including frames and covers
2. Sheet C-502 – Remove manhole detail (shown on C-503)
3. Staff has concerns regarding connection to DMH in Bridge Street. Concern noted there may not be enough space between cores to support new infrastructure. Vertical cross section needed to show location of pipes in relation to sump and cone. Further review of drainage connection required prior to site disturbance.

Motion:

Motion that the Planning Board approve 1025 Ocean Ave, LLC’s Site Plan and Subdivision application for a 15-unit residential condominium and associated on & offsite improvements located at 527 Bridge Street, Tax Map: 048 Lot: 045 Zone: Residential Growth Area 2, is **(approved with conditions/ denied)** and the following findings of fact, conclusions and conditions as stated on pages 2 through 7 of this Staff Memo dated October 2, 2020 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Plan meets the intent of the Ordinance
Handicap Access	Site is in accordance with ADA standards
Appearance Assessment	Entrance to project is at the existing curb cut. The project includes a mix of 2-story single-family and duplex units, which permitted uses in the zone and meet zoning standards. The

	plan provides additional landscaping throughout the project and along the abutting property lines. Lighting is limited to the site and does not spillover onto abutting properties. Signage at the intersection with Bridge Street and conforms to City Ordinances. Criteria 1-5 are met. Criteria 6 is not applicable as the site is not located within the Village Review Overlay Zone.
Landscape Plan	A landscape plan has been provided and demonstrates additional landscaping along the abutting property lines and throughout the development.
Odors	No adverse impact is known or anticipated
Noise	No adverse impact is known or anticipated
Technical and Financial Capacity	Applicant has provided a letter from Paquin & Carroll Insurance dated September 1, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of St. Germain which demonstrates technical capacity.
Solid Waste	Trash collection will be privately managed.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	None known
Parking & Loading Design and Site Circulation	On site parking has been provided in excess of the minimum required by Ordinance. 6-visitor parking spaces are provided in front of units 2 & 3.
Adequacy of Road System	Adequate
Vehicular Access	Access is provided via the existing curb cut on Bridge Street and has been approved by Public Services
Pedestrian and Other Modes of Transportation	A raised sidewalk is provided from Bridge Street through a portion of the development. Public infrastructure is provided via a raised sidewalk from the Lugin St/Bridge St intersection through the frontage of 517 Bridge Street to provide a continuous sidewalk through Graham Road.
Utility Capacity	An ability to serve letter from Portland Water District has been provided. Ability to serve letter from CMP and Sewer will be provided to the City upon receipt.
Stormwater Management, Groundwater Pollution	Stormwater treatment include dripline filters and a Focal Point system with r-tanks to treat/hold water before directing to the rear of the property. Per the email from Jennifer McGill dated 9/28/2020, the application is in process with DEP and is anticipated to be approved prior to the statutory deadline of 11/12/2020
Erosion and sedimentation Control	Adequate erosion/control measures are provided on the plan.

Conclusions

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe

conditions with respect to the use of the highways or public roads existing or proposed.

6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.
14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.
17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Subdivision – Finding of Fact

Standard	Finding
Pollution	Disposal of sewage will be via the public system with a sewer connection in Lugin Street
Sufficient Water	Water services are accessible within the Bridge Street right-of-way. An ability to serve letter has been provided by the Portland Water District and is included with the plan.
Municipal Water Supply	Water services are accessible within the Bridge Street right-of-way. An ability to serve letter has been provided by the Portland Water District and is included with the plan.
Erosion	The applicant has provided a plan to adequately address erosion control. On-site inspections will occur during construction to ensure compliance.
Traffic	Bridge Street has adequate capacity to accept the traffic generate by this project.
Sewage Disposal	Disposal of sewage will be via the public system with a sewer connection in Lugin Street
Municipal Solid Waste Disposal	Residential waste will be privately hauled
Aesthetic, Cultural and Natural Values	No applicable
Conformity with City Ordinances and Plans	Proposal is in conformance with City Ordinances & Comprehensive Plan.
Financial and Technical Capacity	Applicant has provided a letter from Paquin & Carroll Insurance dated September 1, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of St. Germain which demonstrates technical capacity.

Surface Waters; Outstanding River Segments	Not applicable
Ground Water	Ground water will not be adversely impacted by this project
Flood Areas	
Freshwater Wetlands	All wetlands have been identified on the plan
Farmland	No farmlands have been identified on the plan
River, Stream or Brook	No river, streams or brooks are present or have been identified on the plan
Stormwater	Stormwater treatment include dripline filters and a Focal Point system with r-tanks to treat/hold water before directing to the rear of the property. Per the email from Jennifer McGill dated 9/28/2020, the application is in process with DEP and is anticipated to be approved prior to the statutory deadline of 11/12/2020
Spaghetti Lots Prohibited	No lots within the proposed subdivision have shore frontage. N/A
Lake Phosphorus Concentration	The proposed subdivision is not located near or along a great pond.
Impact on Adjoining Municipality	The proposed subdivision does not cross municipal boundaries
Lands subject to Liquidation Harvesting	Not applicable

Conclusions:

1. The proposed subdivision **will not** result in undue water or air pollution
2. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the subdivision
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply
4. The proposed subdivision **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results
5. The proposed subdivision **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed subdivision **will** provide for adequate sewage waste disposal and **will not** cause an unreasonable burden on municipal services.
7. The proposed subdivision **will not** cause an unreasonable burden on the City's ability to dispose of solid waste.
8. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed subdivision **conforms** with a duly adopted subdivision regulation or Ordinance, comprehensive plan, development plan or land use plan.
10. The subdivider **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed subdivision **will not** adversely affect the quality of any pond, lake, wetland, great pond or river, or unreasonably affect the shoreline of that body of water.
12. The proposed subdivision **will not**, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The subdivision **is not** located in a flood-prone area, as determined by the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps.
14. All freshwater wetlands within the proposed subdivision **have** been identified.
15. All farmland within the proposed subdivision **has not** been identified. – Not applicable
16. Any river, stream or brook within or abutting the proposed subdivision **has** been identified.
17. The proposed subdivision **will** provide for adequate stormwater management.

18. Lots in the proposed subdivision **do not have** shore frontage on a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. Section 480-B.
19. The long-term cumulative effects of the proposed subdivision **will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.
20. The proposed subdivision **will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
21. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to 12 M.R.S.A. Section 8869, subsection 14.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 4, 2020 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. Copy of Recorded subdivision plan must be provided to the Planning Office.
 - c. Copy of MDEP approval provided to Planning Office
 - d. Final drainage design at connection in Bridge Street to be approved by Wastewater Services
 - e. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - f. Review of building elevations to be consistent with submitted documentation or testimony.
 - g. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - h. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. Inspection fee shall be 2% of the total amount of performance guarantee.
 - i. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount to ensure completion of all on- and off-site improvements necessary to support the proposed project.
 - j. Coordinate with the E911 Coordinator on addressing of the building/units.
 - k. Best management practices shall be adhered to during all ground disturbance operations. All Street Catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
4. Prior to commencing any work in the City Right-of-Way, the applicant must obtain a road-opening permit from the Public Works Department.
5. Prior to the first Occupancy Permit issuance:
 - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, striping, sidewalks, off-site improvements etc.)
 - b. All site improvements must be installed, unless a performance guarantee amount is held for the full amount of any remaining improvements.
 - c. Provide copy to Planning Office of recorded Homeowners association by laws & Declaration of Covenants and Restrictions, unless sale of first unit has not occurred.
 - d. Documentation of private trash management, inclusive of Unit 1 and return of City property to Public Services.
6. Prior to the First Unit Created or Sold:

- a. Provide copy to Planning Office of recorded Homeowners association by laws & Declaration of Covenants and Restrictions
7. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
 - b. Documentation of maintenance contractor for Stormwater Best Management Practices.
8. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
9. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

3. 2020.24 – Subdivision, Site Plan - Brook Street Apartments – 171 Brook St - The Lefevres, LLC

PUBLIC HEARING

Tax Map: 019 Lot: 029
Zone: Residential Growth Area 2

Project Description:

The applicant is proposing a lot split and the construction of 9 duplex buildings (18 Dwelling Units) on a portion of the property that is known as Wormell Farm. Applicant is proposing onsite open space to address the requirement by creating amenities on the parcel to include a trail system.

Project History:

June 25, 2020 – Neighborhood Meeting
July 7, 2020 – Planning Board Workshop
September 17, 2020 – Recreation and Conservation Commission
October 6, 2020 – Public Hearing

Recreation and Conservation Commission Comments:

The Recreation and Conservation Commission recommended the addition of light landscaping and/or recreational elements provided in the field area(s) to encourage ongoing use/maintenance.

Staff Comments:

1. Additional Fees due: \$1,583.65
2. Septic design – Nitrogen study shows two septic designs include Singulair treatment units. Verification needed the HHE-200 forms are up to date and reflective of this pretreatment
3. Final plan for recording needs following: titled “Overall Subdivision/Site Plan”. Add signature block, conditions of approval, zoning standards – (show post development percentages for lot coverage included on subdivision plan) plan notes specific to the subdivision (ex: private waste management) and metes and bounds of lot split with surveyor stamp.
4. Remove ADA designation on parking lot associated with mailbox. Hatching should remain so the spot continues to function with full accessibility. Add signage designating spot as 15-minute parking reserved for mailbox access.
5. Final location of mailbox pending confirmation from USPS
6. Water service to meter pit is missing on sheets (C-2.1, C-2.2 & C-2.4)
7. Detail Sheet C4.4 – Remove CB detail as it is shown on Sheet C-4.2
8. Lighting – light poles will be dark bronze
9. ATS letter from PWD required prior to site disturbance
10. Driveway radius should be into curb line – currently shown to blending into street line. Provide continuous curbing through the sidewalk on westerly side.
11. Need full e/s control and grading plans.
12. Provide detail for cast iron detectable warning field on detail sheet.
13. Staff recommends a concrete base for the sediment forebays for ongoing maintenance. Riprap forebay does not allow for the removal of silts without removing all of the rock while concrete can be easily swept. Forebay should be designed with riprap on one side to allow water to easily pass through and prevent ponding.
14. Concern of sidewalk drainage entering westerly property. Provide swale line along westerly boundary line to direct water to the rear of the lot to avoid placement of drainage into units backyards.
15. The applicant has provided a sidewalk along the frontage of the parcel in lieu of the westerly direction toward Bridgton road. Between these options, Staff provided guidance to the applicant to include the

sidewalk westerly towards the direction of Bridgton Road under the premise that it would likely be utilized by residents to walk toward the amenities (commercial, public transit, etc.) provide on 302. The applicant did expend time and resources as requested by the Planning Board in determining a layout for the westerly sidewalk, however, there were significant drainage challenges brought forward by the applicant in laying out the Westerly sidewalk design, in addition to the directly abutting property owners requesting the applicant to not build the sidewalk in front of their homes. Therefore, Planning Staff takes no issues with the sidewalk design along the parcel frontage as shown on the plan set, with the relocation of the two utility poles to allow for an unobstructed path. This sidewalk will afford a connection between this project and future projects on Brook Street easterly. Additionally, the sidewalk in this location improves pedestrian safety in the area of Brook Street that has the least amount of sight distance due to the curve around Minnow Brook.

Motion:

Motion that the Planning Board approve The Lefevre, LLC’s Site Plan and Subdivision application for an 18-unit subdivision comprising of 9-duplexes and associated on & offsite improvements located at 171 Brook Street, Tax Map: 019 Lot: 029 Zone: Residential Growth Area 2, is **(approved with conditions/ denied)** and the following findings of fact, conclusions and conditions as stated on pages 9 through 13 of this Staff Memo dated October 2, 2020 are adopted in support of that approval.

Site Plan – Finding of Fact

Standard	Finding
Utilization of the site	Plan meets the intent of the Ordinance
Handicap Access	Site is in accordance with ADA standards
Appearance Assessment	Driveway entrance for Eagle Lane is at a location that is approved by Public Services. Site layout and design utilizes existing topography and the protected resource that is located along the easterly boundary line. A landscaping plan has been provided with increased landscaping along Brook Street as well as throughout the development. Lighting is limited to the site and does not spillover onto abutting properties. Signage is provided at the intersection with Brook Street and conforms to City Ordinances. Criteria 1-5 are met. Criteria 6 is not applicable and the site is not located within the Village Review Overlay Zone.
Landscape Plan	Additional landscaping is provided along Brook Street and along Eagle Lane. A vegetative buffer has been provided along the westerly boundary line.
Odors	No adverse impact is known or anticipated
Noise	No adverse impact is known or anticipated
Technical and Financial Capacity	Applicant has provided a letter from Androscoggin Bank dated August 7, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of Walsh Engineering Associates which demonstrates technical capacity.
Solid Waste	Trash collection will be privately managed.
Historic, Archaeological and Botanical Resources or Unique Features	None known
Hazardous Matter	None known
Vibrations	None known
Parking & Loading Design and Site Circulation	On site parking is in excess of the minimum required by Ordinance to allow for visitor parking to the complex.

Adequacy of Road System	Adequate road capacity to accommodate the project exists.
Vehicular Access	Access is provided via Brook Street at a location that is approved by Public Services
Pedestrian and Other Modes of Transportation	A raised sidewalk is provided internal to the development and along the complete frontage of the parcel.
Utility Capacity	HHE-200 forms have been provided as part of the application. Ability to serve letters will be provided to the City upon receipt.
Stormwater Management, Groundwater Pollution	Stormwater management is provided by a detention pond located to the rear of the development
Erosion and sedimentation Control	Adequate erosion/control measures are provided on the plan.

Conclusions

1. The proposed site plan **will not** result in undue water or air pollution.
2. The proposed site plan **has** sufficient water available for the reasonably foreseeable needs of the site plan.
3. The proposed site plan **will not** cause an unreasonable burden on an existing water supply.
4. The proposed site plan **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results.
5. The proposed site plan **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.
6. The proposed site plan **will** provide for adequate sewage waste disposal.
7. The proposed site plan **will not** cause an unreasonable burden on the municipality's ability to dispose of solid waste.
8. The proposed site plan **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat identified by the Department of Inland Fisheries and Wildlife or the municipality, or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed site plan **conforms** with a duly adopted site plan regulation or ordinance, comprehensive plan, development plan, or land use plan.
10. The developer **has** adequate financial and technical capacity to meet standards of this section.
11. The proposed site plan **is not** situated entirely or partially within the watershed of any pond or lake or within 250 feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, article 2-B M.R.S.A.
12. The proposed site plan **will not** alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The proposed site **is not** situated entirely or partially within a floodplain.
14. All freshwater wetlands **have** been shown on the site plan.
15. Any river, stream, or brook within or abutting the site plan **has** been identified on any maps submitted as part of the application.
16. The proposed site plan **will** provide for adequate storm water management.
17. The proposed plan **will not** negatively impact the ability of the City to provide public safety services.

Subdivision – Finding of Fact

Standard	Finding
Pollution	Disposal of sewage from the project will be via private septic systems. HHE-200 forms have been provided as part of the application.
Sufficient Water	Water services are accessible within the Brook St right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon Receipt.

Municipal Water Supply	Water services are accessible within the Brook St right-of-way. Ability to serve letter from Portland Water District will be provided to the City upon Receipt.
Erosion	The applicant has provided a plan to adequately address erosion control. On-site inspections will occur during construction to ensure compliance.
Traffic	Brook Street has adequate capacity to accept the traffic generate by this project.
Sewage Disposal	Disposal of sewage from the project will be via private septic systems. HHE-200 forms have been provided as part of the application.
Municipal Solid Waste Disposal	Residential waste will be privately hauled.
Aesthetic, Cultural and Natural Values	Not applicable
Conformity with City Ordinances and Plans	Proposal is in conformance with City Ordinances & Comprehensive Plan.
Financial and Technical Capacity	Applicant has provided a letter from Androscoggin Bank dated August 7, 2020 to demonstrate proof of Financial Capacity. The applicant has retained the services of Walsh Engineering Associates which demonstrates technical capacity.
Surface Waters; Outstanding River Segments	Not Applicable
Ground Water	Ground water will not be adversely impacted by this project.
Flood Areas	All flood zones have been identified on the plan
Freshwater Wetlands	All wetlands have been identified on the plan
Farmland	No farmland has been identified on site
River, Stream or Brook	A portion of Minnow Brook runs through the site and is identified on the plan. All development is located outside of the stream's 75-foot setback. A plume analysis of the septic design has been provided to conform nitrate levels are within MDEP levels at the point of setback.
Stormwater	Stormwater management is provided by a detention pond located to the rear of the development
Spaghetti Lots Prohibited	No lots within the proposed subdivision have shore frontage. N/A
Lake Phosphorus Concentration	The proposed subdivision is not located near or along a great pond.
Impact on Adjoining Municipality	The proposed subdivision does not cross municipal boundaries
Lands subject to Liquidation Harvesting	Not applicable

Conclusions:

1. The proposed subdivision **will not** result in undue water or air pollution
2. The proposed subdivision **has** sufficient water available for the reasonably foreseeable needs of the subdivision
3. The proposed subdivision **will not** cause an unreasonable burden on an existing water supply
4. The proposed subdivision **will not** cause unreasonable soil erosion or a reduction in the land's capacity to hold water so that a dangerous or unhealthy condition results
5. The proposed subdivision **will not** cause unreasonable highway or public road congestion or unsafe conditions with respect to the use of the highways or public roads existing or proposed.

6. The proposed subdivision **will** provide for adequate sewage waste disposal and **will not** cause an unreasonable burden on municipal services.
7. The proposed subdivision **will not** cause an unreasonable burden on the City's ability to dispose of solid waste.
8. The proposed subdivision **will not** have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites, significant wildlife habitat or rare and irreplaceable natural areas or any public rights for physical or visual access to the shoreline.
9. The proposed subdivision **conforms** with a duly adopted subdivision regulation or Ordinance, comprehensive plan, development plan or land use plan.
10. The subdivider **has** adequate financial and technical capacity to meet the standards of this section.
11. The proposed subdivision **will not** adversely affect the quality of any pond, lake, wetland, great pond or river, or unreasonably affect the shoreline of that body of water.
12. The proposed subdivision **will not**, alone or in conjunction with existing activities, adversely affect the quality or quantity of ground water.
13. The subdivision **is not** located in a flood-prone area, as determined by the Federal Emergency Management Agency's Flood Boundary and Floodway Maps and Flood Insurance Rate Maps.
14. All freshwater wetlands within the proposed subdivision **have** been identified.
15. All farmland within the proposed subdivision **has not** been identified.
16. Any river, stream or brook within or abutting the proposed subdivision **has** been identified.
17. The proposed subdivision **will** provide for adequate stormwater management.
18. Lots in the proposed subdivision **does have** shore frontage on a river, stream, brook, great pond or coastal wetland as defined in 38 M.R.S.A. Section 480-B. Subdivision complies with required setbacks.
19. The long-term cumulative effects of the proposed subdivision **will not** unreasonably increase a great pond's phosphorus concentration during the construction phase and life of the proposed subdivision.
20. The proposed subdivision **will not** cause unreasonable traffic congestion or unsafe conditions with respect to the use of existing public ways in an adjoining municipality in which part of the subdivision is located.
21. Timber on the parcel being subdivided **has not** been harvested in violation of rules adopted pursuant to 12 M.R.S.A. Section 8869, subsection 14.

Conditions:

1. Approval is dependent upon, and limited to, the proposals and plans contained in the application dated September 9, 2020 and supporting documents and oral representations submitted and affirmed by the applicant, and conditions, if any, imposed by the Planning Board, and any variation from such plans, proposals and supporting documents and representations are subject to review and approval by the City Planner or the Planning Board.
2. Consistent with Section 504.3, the Code Enforcement Officer shall not issue any permits until a site plan has been approved by the Planning Board and a Mylar signed by the Planning Board. *Mylars must be submitted to the City within 90 days of Planning Board approval or the approval shall be null and void.*
3. Prior to any site disturbance or building permits being issued for the project:
 - a. All Staff comments must be addressed.
 - b. Copy of Recorded subdivision plan must be provided to the Planning Office.
 - c. A pre-construction meeting must be held with City Staff and the site work contractor. Contact the Planning Office to coordinate.
 - d. Review of building elevations to be consistent with submitted documentation or testimony.
 - e. The applicant shall provide the digital data as required by Section 504.5.B.12 and 13. – verification with GIS coordinator.
 - f. Sidewalk drainage plan provided to the satisfaction of Engineering Director.
 - g. An inspection fee shall be made payable to the City of Westbrook for inspection of site improvements made by the Code Enforcement Officer and/or other appropriate City staff. **\$14,316.84**
 - h. The applicant shall file a performance guarantee with the City of Westbrook. The amount of the guarantee shall be agreed upon in advance with the City of Westbrook and shall be of an amount

- to ensure completion of all on- and off-site improvements necessary to support the proposed project. \$715,842.00
- i. Coordinate with the E911 Coordinator on addressing of the building/units.
 - j. Best management practices shall be adhered to during all ground disturbance operations. All Street Catch basins in the vicinity of earthwork operations shall have silt sacks installed & maintained for the duration of the work.
4. Prior to commencing any work in the City Right-of-Way, the applicant must obtain a road-opening permit from the Public Works Department.
 5. Prior to the first Occupancy Permit issuance:
 - a. A site inspection of the required improvements by the City to ensure public health & safety is addressed and compliance with the approval. (This includes all paving, striping, sidewalks, off-site improvements etc.)
 - b. All site improvements must be installed, unless a performance guarantee amount is held for the full amount of any remaining improvements.
 - c. Documentation of private trash management
 6. If units should be changed to Condominiums, prior to the First Unit Sold:
 - a. Provide copy to Planning Office of recorded Homeowners association by laws & Declaration of Covenants and Restrictions
 7. Prior to release of the performance guarantee:
 - a. The site will be in compliance with the approved plan and as-built plan provided in City approved format for the GIS system
 - b. Maintenance plan for Open Space provided to the Planning Department
 - c. Documentation of maintenance contractor for Stormwater Best Management Practices.
 8. The applicant shall comply with the requirements of local and state authorities for life and safety requirements.
 9. The applicant shall comply with Chapter 37, the local Post Construction Stormwater Management Ordinance. A copy of the maintenance log for the previous year for the stormwater treatment features associated with this project needs to be provided to the Planning Office in accordance with Chapter 37 requirements.

4. 2020.34 – Site Plan – 619 Bridgton Road – Audet Enterprises – Commercial Facility

WORKSHOP

Tax Map: 019 Lot: 029
Zone: Residential Growth Area 2

Project Description:

The applicant is proposing 4,224 sf building for an office/landscaping maintenance facility with an expanded parking and storage area.

Project History:

October 3, 2020 – Neighborhood Meeting
October 6, 2020 – Planning Board Workshop

Staff Comments:

1. Noticing Fees Due: \$37.80
2. Staff does not support the gravel area to the rear of the parcel that is utilized for parking and storage of vehicles/materials as this will erode with use. Paved parking/storage area required.
3. Provide landscape plan with final submission providing site beautification along Bridgton Road
4. Clarity needed on stored material to determine sprinkler requirement. Structure will need 2-hr separation between garage and offices.
5. Building mounted fire alarm system with exterior strobe required
6. Knox box on building – final location in coordination with FD
7. Location of fuel tank could present a conflict with general traffic/plowing services
8. Will there be signage along Bridgton Road? If so, please provide with final submission.
9. Site lighting – provide photometrics and lighting cut sheets with final submission
10. Utility work in Bridgton ROW – applicant is exploring easements with abutting property owners to prevent work in the ROW that would require lane closures. If this is successful – provide draft easements for legal review with final submission. If utility work is required within the ROW, construction limited to 9a – 3p and a total closure will require nighttime work. Lane closures require PD for traffic control.
11. Guard rail to be placed around quarry and any area where the slope exceeds 3:1.
12. Concrete pad for dumpster required. Staff recommends a larger enclosure to accommodate trash and recycling for business.
13. Provide documentation of neighborhood meeting to Planning Department.
14. What is the purpose of the 2000 gal holding tank?
15. Stormwater analysis will be necessary with final submission.
16. On proposed elevations – Please review with your designer to provide elements to treat the Street side building façade to break up mass of wall. (ie Windows, two tone color siding, etc.)
17. How does the quarry pond drain? Is there an outlet? Would appear final design would need to culvert under the access drive to allow for drainage to flow naturally.
18. Grading of the back area will be important to see how the site will work as laid out without filling in wetlands out back.

Board Action:

1. Provide feedback to the applicant
2. Staff can provide a virtual site walk during the meeting if the Board wishes, or the members can drive by the location in advance of the meeting to view the property.